

REMARKS

Presently, claims 1-38 are pending in the application. Independent claims 1 and 20 have been amended along with claims 4-8, 18, 23-27 and 37; claims 2, 3, 21 and 22 have been canceled; claims 39-54 have been newly added; as a result, claims 1, 4-20 and 23-54 are still pending in this application. Favorable reconsideration and reexamination of the action mailed on September 18, 2007 is respectfully requested in view of the foregoing amendments and following comments of the Applicant, which are preceded by related comments of the Examiner in small bold type:

*Remarks*

**(1) Regarding claim 7, there was no objection to the claim 7 in the previous office action.**

Applicant appreciates the Examiner pointing out that no objection had been made to claim 7 in the previous office action.

**(2) Regarding claim 18, the claim 18 is depending on the claim 1, and “a convolution weight”, was mentioned in claim 1, line 9, therefore, “a convolution weight” of claim 18, line 7, should be changed to “the convolution weight”.**

Applicant appreciates the Examiner's comment. Claim 18 has been amended.

**(3) Regarding claim 37, the claim 37 depends on claim 20, and “a pixel value” was mentioned in claim 20, line 13, therefore. “a pixel value” of claim 37, line 10, should be changed to “the pixel value”.**

Applicant appreciates the Examiner's comment. The Applicant believes claim 37 provides proper antecedent basis. In particular, claim 20 recites “... a pixel value of the second pixel...” while claim 37 recites “... a pixel value of each further pixel...”.

*Allowable Subject Matter*

12. The following is a statement of reasons for the indication of allowable subject matter:

Independent claims 19 and 38 are allowable over the prior art of record.

Applicant appreciates the Examiner's comment that claims 19 and 38 are in condition for allowance.

**13. Claims 3-8 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.**

The Applicant appreciates the Examiner's comment that claims 3-8 would be allowable if rewritten in independent form. The subject matter of claim 3 has been has been amended to independent claim 1, along with the subject matter of intervening claim 2. In a similar manner, the subject matter of claim 22 has been amended to independent claim 20, along with the subject matter of intervening claim 21. Claims 2, 3, 21 and 22 have been cancelled. Additionally, an independent system claim 39 has been newly added which contains subject matter similar to the amended independent claims 1 and 20.

*Claim Rejections - 35 USC § 103*

**Claims 1-2, 12-14, 18, 20-21, 31-33 and 37 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gallagher (US 6,728,416) in view of Maurer (US2005/0025378).**

Based upon the above amendments to independent claims 1 and 20 and the Examiner's comments regarding allowable subject matter, the Applicant contends that the rejection is rendered moot and request withdrawal.

**Claims 9-11 and 28-30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gallagher in view of Maurer, as applied to claims 1 and 20 above, and further in view of Haumberg (US 6,791,540).**

Based upon the above amendments to independent claims 1 and 20 and the Examiner's comments regarding allowable subject matter, the Applicant contends that the rejection is rendered moot and request withdrawal.

**Claims 9-11 and 28-30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gallagher in view of Maurer, as applied to claims 1 and 20 above, and further in view of Szeliski (US 6,215,496).**

Based upon the above amendments to independent claims 1 and 20 and the Examiner's comments regarding allowable subject matter, the Applicant contends that the rejection is rendered moot and request withdrawal.

**Claims 16 and 35 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gallagher in view of Maurer, as applied to claims 1 and 20 above, and further in view of Dowski et al. (US-PGPUB 2003/0169944).**

Based upon the above amendments to independent claims 1 and 20 and the Examiner's comments regarding allowable subject matter, the Applicant contends that the rejection is rendered moot and request withdrawal.

**Claims 17 and 36 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gallagher, Maurer, and Dowski et al., as applied to claims 16 and 35 above, and further in view of Lee (US-PGPUB 2003/0197877).**

Based upon the above amendments to independent claims 1 and 20 and the Examiner's comments regarding allowable subject matter, the Applicant contends that the rejection is rendered moot and request withdrawal.

It is believed that all of the pending claims have been addressed. However, the absence of a reply to a specific rejection, issue or comment does not signify agreement with or concession of that rejection, issue or comment. In addition, because the arguments made above may not be exhaustive, there may be reasons for patentability of any or all pending claims (or other claims) that have not been expressed. Finally, nothing in this paper should be construed as an intent to concede any issue with regard to any claim, except as specifically stated in this paper, and the amendment of any claim does not necessarily signify concession of unpatentability of the claim prior to its amendment.

In view of the foregoing amendments and remarks, the Applicant respectfully submits that the application is in condition for allowance, and such action is respectfully requested at the Examiner's earliest convenience.

Please apply all charges or credits to Deposit Account No. 06-1050, referencing Attorney Docket No. 07844-628001.

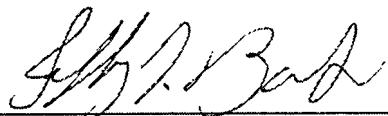
Applicant : John W. Worthington  
Serial No. : 10/767,385  
Filed : January 28, 2004  
Page : 16 of 16

Attorney's Docket No.: 07844-628001 / P581

\$810 for excess claim fees is being paid concurrently herewith on the Electronic Filing System (EFS) by way of Deposit Account Authorization. Please apply any other charges or credits to deposit account 06-1050, referencing Attorney Docket No. 07844-628001.

Respectfully submitted,

Date: 18 December 2007



Jeffrey J. Barclay  
Reg. No. 48,950

Fish & Richardson P.C.  
Telephone: (617) 542-5070  
Facsimile: (617) 542-8906